

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

| | | |
|---------------------------------------|---|--------------------------|
| JOHN LILLEY, |) | |
| |) | |
| Plaintiff, |) | Civil Action No. 21-358E |
| |) | |
| v. |) | Judge Cathy Bissoon |
| |) | |
| SUZANNE BAXTER, <i>Superior Court</i> |) | |
| <i>Juror #8,</i> |) | |
| |) | |
| Defendant. |) | |

ORDER OF DISMISSAL

For the reasons that follow, Plaintiff’s Complaint will be dismissed pursuant to the screening provisions in 28 U.S.C. § 1915.

Plaintiff has been granted leave to proceed *in forma pauperis* (“IFP”), and the Complaint is subject to the screening provisions in 28 U.S.C. § 1915(e). See Atamian v. Burns, 2007 WL 1512020, *1-2 (3d Cir. May 24, 2007) (“the screening procedures set forth in [Section] 1915(e) apply to [IFP] complaints filed by prisoners and non-prisoners alike”) (citations omitted). Among other things, the statute requires the Court to dismiss a complaint that is frivolous, fails to state a claim upon which relief may be granted or seeks relief against an immune defendant. Burrell v. Loungo, 750 Fed. Appx. 149, 154 (3d Cir. Sept. 12, 2018) (citing Section 1915(e)(2)).

The Complaint appears to be lodged against District Judge Susan Paradise Baxter (W.D. Pa.), and its contents are, to the undersigned, incomprehensible. Even were they not, Judge Baxter is entitled to absolute judicial immunity for actions taken within her judicial capacity. Cook v. City of Phila., 846 Fed. Appx. 161, 164 (3d Cir. Mar. 1, 2021) (citation omitted).

Plaintiff's action is subject to dismissal under 28 U.S.C. § 1915, and there is no reason to believe that the deficiencies may be cured by amendment.¹ Accordingly, this case is

DISMISSED WITH PREJUDICE.

IT IS SO ORDERED.

January 13, 2022

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via First-Class U.S. Mail):

John Lilley
424 Ross Street
Erie, PA 16507

¹ Notably, Plaintiff has been ordered to show cause why a vexatious litigant order should not be entered against him in this District. *See* Order dated Jan. 4, 2022 (Doc. 2 in Civil Action No. 22-1E). The undersigned does not reach this issue, only because the instant lawsuit preceded the show cause order.